# THE NEWS OF NORFOLK ON PAGES TWO, THREE, FIVE AND

### COURT DECISIONS.

Notes of Cases Recently Decided, Which are of Interest to Our People.

DIGESTED BY W. B. MARTIN. (Exclusively for Virginian-Pilot.)

TEXAS & P. R. CO. V. CLAYTON. Supreme Court of the United States, February 20, 1899.

WHERE THE BILL OF LADING FOR GOODS PROVIDED THAT ACTUAL CUSTODY THEY WERE WHEN LOST SHOULD BE LIA-BLE, THE CARRIER WHO HAD PLACED THE GOODS ON THE WHARF OF A CONNECTING LINE IN AND NOTIFIED IT THEREOF, IS STRUCTION BY FIRE, THE CON-TAKEN ACTUAL CUSTODY OF

IN SUCH CASE THE CARRIER WAS NOT A WAREHOUSEMAN, BUT de LIABLE ÁS A CARRIER.

This was an action against the defendant railroad company for damages arising from the loss of cotton by fire. The plaintiff delivered the cotion to the railroad company at Bonham. Texas, to be carried to Liverpool. The bills of lading provided that in care of loss the carrier in the actual custody of whom the goods were at that time should alone be liable. The company carried the cotton to New Orleans, the end of its line, and placed it on its

loss the carrier in the actual case by of whom the goods were at that this should alone be liable. The commany carried the cotton to New Orleans, the end of its line, and placed it on its wharf at Westmego, opposite New Orleans, to be delivered to its connecting steamship company to be carried to Liverpool. On the marning of the five, and at other times previous thereto, the officers of the railway company gave verbal notice to the steamship company that the cotton was on the wharf, and asked them to remove it. The cotton was destroyed by five and this suit was brought. The lower courts gave judgment for plaintiff and the railroad company appealed.

The court says:

In thesease at bar, the facts plainly indicate that although the goods had been placed by the first carrier upon the wharf, and although that was the place at which the ste makin company was to receive or usually received goods from the railway company for further transportation, they were not in the actual possession or under the actual control of the connecting carrier at the time of the fire. The connecting carrier at the time of the fire. The connecting carrier at the time of the fire. The connecting carrier at the time of the cotton or assumed control of it. True it had received notice that the goods were on the wharf and could be taken into possession, but such notice did not put the cotton into the actual custody of the connecting carrier. The opportunity given it to take possession was not under the contract equivalent to placing the cotton in the heactual custody of the steamship line. The undertaking of the railway company was to transport safely and deliver to the next connecting carrier. But its further express agreement was, in substance, that if any carrier incurred liability to the shipper in respect to the goods, that carrier alone was to be liable who, at the time the cotton was damaged orgost, had it in actual custody. A further contention of the defendant is that at the time of the fire it held the goods, if at all, only as a ware the time of the fire it held the goods. If at all, only as a warehouseman and not as a common earrier, and that the Circuit Court erred in not so instructing the jury. We cannot assent to this view. It could not convert itself into a warehouseman by proving that it had, before the fire, tendered the goods to the connecting earrier, and that the latter neglected, although without easier onable excuse, to take them into its actual custody. Affirmed.

AMER. W. WATCH CO. V. U. S. WATCH CO.

March 3, 1899.

Supreme Judicial Court of Massachu-

A COURT WILL ENJOIN A COM-

PANY FROM USING THE WORDS WALTHAM. LONG TIME USED THE FORMER be WORD AS A TRADE MARK, OR TRADE NAME, ON MANUFACTURED BY IT.

This was a suit to enjoin the defendant company from advertising its watches as the "Waltham Watch." or "Waltham Watches," and from marking its watches in such a way that the word "Waltham" is conscicuous. The plaintiff was the first manufacturer of watches in Waltham and had acquired a great reputation before defendant began business.

The court says:

watches in Waitham and Roll Regulators agreed reputation before defendant began business.

The court says:

The court says:

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Church, Lambert's Point, During this period disc church has grown from a and now before us, is whether the defendant shall be endouned finite against using the words "Waitham," or "Waitham, Mass.", upon plates of it watches, without some accompanying statement which shall distinguists and appropriate to watches, without some accompanying statement which shall distinguists and proposed of the plaintiff.

He claimtiff, the strong the conficient seems of the control of the plaintiff, and the plaintiff should not lose curies that the plaintiff should not lose curies the first of the communication of the world that it does not be considered by the proprietors of the communication of the world that it does not be considered by the proprietors of the control of the strong that the communication of the control of the strong that the control of the strong that the communication of the strong that the control of the strong that the control of the strong that the communication of the strong that the control of the strong that th

ceitfully diverting the plaintiff's custom.

We cannot go behind the finding that such a deceitful diversion is the effect, and intended effect, of the marks in question. We cannot go behind the finding that it is practicable to distinguish the defendant's watches from those of the plaintiff, and that it ought to be done. The question is specific and concrete. The judge who heard the evidence has answered it, and we cannot say that he was wrong. Decree for plaintiff.

### DIVINE SERVICES SUNDAY.

LUTHERAN CHURCH.

First Church, Charlotte, between Granby and Brewer streets—Preaching by the pastor, Rev. J. E. Shenk, at 11 a. m. and 8 p. m. Sunday school at 10

CHRISTIAN CHURCH. Memorial Temple, corner of Cooke end Tunstall avenue, Brambleton— Preaching by the pastor, Rev. J. P. Barrett, D. D., at 11 a. m. and 8 p. m. p. m. Sunday school at 9:15 a. m.

Fourth of July Ixcursion Rates co. Rry. 83.00

Fourth of July excursion tickets will be sold between all stations on the Chesapeake and Ohlo railway at greatly reduced rates. Tickets on sale July lat, 24, 3d and 4th, with time limit of Chesapeake

July 7th.

For further information apply to F.
W. CURD, passenger agent, Chesapeake and Ohio Railway, Norfolk, Va.
je30-3t

Burroughs Memorial Church.

To-morrow will be the fifth anniversary of the Rev. George W. Cox as paster of Burrough's Memorial Baptist

## CLOSE OF THE PUBLIC SCHOOLS

(Continued from Page Three.)

nolds, Bessie Brown, Samuel Brown, Lily Batchelder, Winborne Savage, Richard Burroughs, Nellle Whitehurst, Helen Hudgins, Laura Carnedx, Lucy Holt, Pearl Bonney, Arthur Jones, Erna Mahone, Henry Johnston, Herman Cohn, Robert Johnston, Lansing Ter-willier.

MATHEMATICS.

First Year — Wille Black, Margie Brickhouse, Mary Enpes Martha Minder, Lee Dudley, Chie Beard, Corinne Paris, Edited Bourd, Mary Herbert, Lee Dudley, Chie Beard, Corinne Paris, Edited Bourd, Mary Herbert, Lee Dudley, Chie Beard, Corinne Paris, Edited Bourd, Mary Herbert, Leouse Berryman, Frence Scott, Peacle Eggleston, Agle Sharp Myrth Lee Bourder, Annie Morris, Lillian form to Fannie Welsel, Martie Livens, Eleanor Herbert, Leouse Berryman, Frence Scott, Peacle Eggleston, Agle Sharp Myrth Lee Bourder, Rev. W. & Sat H. a. en and S. p. m. ding hour the Lera's Supposessived, in councetion with the ordarped and Institute of the Council of the Counc

Trinity, corner of Maltby and Correwall And Antice of Maltby and Correwall Antice of Maltby and Correwally and Correwall Antice of Maltby and Correwall Antice of Maltby and Correwall Antice of Maltby and Correwally and Correwall Antice of Maltby an

H. Edwards, at 6 D. m. Sunday school at 9:15 a. m.

Queen, corner of Pulaski and Queen streets—Preaching by the pastor, Rev. S. C. Hatcher, at 11 a. m. and by Rev. Lloyd T. Williams.

McKendree, corner Clay and Clathorne avenues, Brambleton—Preaching by the pastor, Rev. R. H. Bennett, at 11 a. m. and 8 p. m.

Huntersville, Johnson avenue—Preaching by the pastor, Rev. Daniel T. Merrit, at 11 a. m. and 8 p. m. Morning subject, "The Value of a Memorial:" evening, "Some Laws on Divine Economy."

Lenies Memorial, corner of Camp

STENOGRAPHY.

First Year—John Day, Louise Hope, Edna White, Eva Grimstead, Henry Lekies Memorial, corner of Camp avenue and Fort street, Atlantic City—Preaching by the pastor, Rev. W. T. Williams, at 11 a. m. and 6 p. m. Sunday school at 9:30 a. m.

Lambert's Point—Preaching by the pastor, Rev. George H. Spooner, at 11 a. m. and 8 p. m. Sunday school at 9:30 a. m.

CHRIST SCIENTIST

SPELLING.

CHRIST SCIENTIST.

First Church, Public Library building
Services at 11 a. m. and Wednesday
t 8 p. m.

CHURCH OF CHRIST.

Freemison, between Bank and
frewer—Preaching by the paster, Rev.
W. F. Smith, at 11 a. m. and 8 p. m.

LUTHERAN CHURCH.

First Church, Charlotte, between
Grapby and Brewer streets—Preaching
First Church, Annie Gray, Annie
Schenck, Eleanor Fentress, Curt's HudSchenck, Eleanor Fentress, Eleanor Fentress, Curt's HudSchenck, Eleanor Fentress, E Glark, Louise Heng, Mand Miller, Janie Glark, Louise Heng, Mand Miller, Janie Glark, Louise Heng, Mand Miller, Janie Glark, Janie Glark, Janie Glark, Mand Miller, Janie Glark, Janie Glark, Mand Miller, Janie Glark, Janie Lefaucher, Fannal Grant, Mand Miller, Pannal Grant, Many Saunders, Sae Wright, Anna Frown, John Day, Samuel Hodges, John Upton, Pearla Eggleston, Mary Grant, Many Saunders, Sae Wright, Anna Frown, John Day, Samuel Hodges, John Upton, Pearla Eggleston, Wilhorne Savare, Adele Shirp, Ernest Earce, Lots Corprew, Lottie Pincus, Mary Eppes, May Taylor, Mary Persent Glark, Matter White, Evelyn and Carenies, Mary Eppes, May Taylor, Mary Ferrest, Glark, Mary Engleston, Waller Hodges, John Upton, Pearla Eggleston, Mary Eppes, May Taylor, Mary Ferrest, Barco, Lots Corprew, Lottie Pincus, Mary Eppes, May Taylor, Mary Eppes, May Eppes, May Taylor, Mary Eppes, May Taylo

Honorable Mention-Liee Linwood Jozier, Joel Decatur Edwards, Edward Francis Jakeman, Robert Riddick Par-ons, George Frank Stavro, Medalist-George Theodore Curdts.

Roll of Honor-Harry Onell James, Herbert C. Lareiter, Boydon Lee Good, Elma Jefferson Little, Soloman J. Cone, John Thomas Trimyer, Hoge Cralle Venable, Stephen W. Cuthriel, Fred-erick Dalton, Edward Bettle Teagle, Webster Brown, Clarence Suniwall, Luther Selden O'Brien, Lewis Tebaint Sykos, James W. Simmons, Charles Da-SECOND PRIMARY.

Octors, Julius Archie McCoy, Remard Fut, Heghert Nash Velth, Charle Greco, Reginald Murray. Not absent during the term—Wilson Humphress, George Steinhilber. Prize awarded to Lloyd Stanhone James for reading the largest number of books during the year.

### CHARLOTTE STREET.

Following is the report of the Char-lotte street school, of which Mr. J. Leland Boush is the rector:

rottowing is the report of the Charlette street school, of which Mr. J. Leland Boush is the rector:

FIRST GRAMMAR GRADE.
(Mary E. Hodges, Teacher.)
Graduates—Russeil S. Bradford Handford T. Cruser, Frank M. Hall, Joseph Marshall, Harold Dinwiddle Martin, Lawrence C. Page, Edwin McCullock Stephens, George A. Vaiden.
Certificates of Scholarship—R. Stearns Dodson, W. Thomas Law Monroe Oberndorfer, Waller P. Gray Russeil White, Hugh Whitehurst, John H. Thompson, Robert M. Moreland, Webster Runaldue.

Medalist—Edwin McCullock Stephens Not Absent During the Session—Willie Law.
SECOND GRAMMAR GRADE.
Medalist—George P. Church.
Certificates—Ira T. Holt, Carlyle R. Williams, Walter B. Jones, Samuel La Blanc, Charles K. Anderson, James C. Little, Edward O. Ball, Luther-T. Ironmonger, Robert W. Fiveash.
Neither absent nor late during term—George Church, Allen Marshall.
A GRADE.
INTERMEDIATE GRADES.
(M. F. Dey, Teacher.)
Certificates—Heary Young, Roderlek Lessels, Cecil Bell, Martin Freeney, Field Shepherd, Marshall Friedman, Henry Holt, Cecil Stell, Robert Mellair, Malvern Hall, Willie Hudgins.
Honorably Mentioned—Paul Wright, Hugh Davis,
Not Absent a Day—George Farant, Charlle Crump, Morton Hecht, Kenneth Jones.

B GRADE,
Certificates—Heimey Schapiro, J. Gilbert Grubb, C. Philip Morris, John
Dozier, Samuel Simmons, Rollin Powel,
Hunter Fufford, Eddie Jones, Morton
Hecht, Moses Gotlob, Kenneth Jones,
Fred Wasserman, Earle Stacy, Charlie
Ceump.

Honorably Mentioned—Jacob Pugh, Herbert Helvin, George Farant, Wal-ter White, Marshal Whitehurst, Sol-omon Tischler, John Mitchell, Jacob Powell.

M. F. DEY, Charlotte Street Intermediate.

PRIMARY.

Section A-Edgar Salomonsky, Richard Morris, Archie Page, Virginius Stell, Wm. Patterson Jones, John Hudgins, Ollie Rhea, Irwin Vanos.

Section B-Herbert Bryant Merritt, Aubrey Egglesion, Harry Barclay, Reginald Page, Neville Merritt, Arthur Church, Harry Vaushn, Edgar Runaldee, Leroy Cruser, Leon Witlok, Paul Wilson, Beverley Payne, Charles Bern-

liam Fountain, William Lee Parker
Milton Augustus Scott.

Section B-George Theodore Curdts
Scott Augustus Holman, Harry Herbert Mason, Lawrence Hardy Miller,
Milton Howard Simmons,
Honorable Mention-lee Linwood

QUALITIES at such LOW PRICES AS WE QUOTE.

# is it Really a Big Chance?

You shall answer for yourselves.

We'll simply say that no finer Suits can be made to sell up to and including \$20 than these-and they are in the dressiest and neatest patterns.

We offer the choice for



To save almost one dollar in two is worth doing, don't you think? And it's a rarity, too,

Not so many of these Suits that it's safe delaying.

### Saks & Company

evin. Prize-Mental Arithmetic: Jessamine Lyon.
Prize-(Given by Miss Ethel Neely) mine Lyon.

Prize—(Given by Miss Ethel Neely)
For Neatness: Evelyn Stone,
Certificates of Distinction for Promotion—First Grade: Lydia Bunting,
Evelyn Stone, Leuise Small, Beulah
Thompson, Jessamine Lyon, Margaret
White, Hilda Luchman, Maurice Cannon, Albert Cason, Henry Cherry, Jos,
Levin, Samuel Levin, Paul Murray,
Lloyd Snowden, Willie Williams, Willie
Walker.

Walker.
Certificates of Distinction for Promotion—Second Grade: Rebecca Steinburg, Cella Gholstin, Lillian Bell, Blanche Warren, Dolly Walker, Ida Sacks, Kenneth Baylor, Linwood Berry, Melvin Cruser, George Purnell, Walter Zeltman, Leonard Knapp, Harry Griffin, Charlie White, Joseph Green, Percy Kinch.

FIRST PRIMARY.

FIRST PRIMARY.

(Mary Foster, Teacher.)

Grade B—Wm. Peirce, Merritt Cruser,
Wills Fentress, Wm. Atkinson, Mollie
Beskns, Magenta Lapetina, Nellie
White, Elra Short.

Grade A—Jacob Luchman, Rebecca
Yaftey, Cindstone Mackenzie, Wm. McCormick, Wm. Zeitman, Joseph Lascara, Ida Wynn, Anthony Barnes, Jacob
Gholstin, Rebacca Beskin, Ressie Goldberg, Wm. Murray, Viola Short, Wm.
Spruill, Hunter Raby, Susle Butt, John
Joynes, Vera Fisher, Lercy Ireland,
Alonzo Bell, Anna Firett, Ida Segall,
Sadie Segall.

FIRST PRIMARY.

Spruili, Hunter Raby, Susie Butt, John Joynes, Vera Fisher, Lersy Ireland, Alonzo Bell, Anna Firett, Ida Segali, Sadie Segali.

FIRST PRIMARY.

(Miss Belen Grant, Teacher.)
Roll of Honor—Leo Kinch, Morris Beskin, James Caffee, Lawrence Cutchins, Earl Cutchins, Ira Craddock, Arthur Ebmer, Herbert Ebmer, Wm. Garthright, Nathan Gobiberg, James Harris, Roscoe Ireland, Claud Johnson, John Lapetina, James Stokes, Allie Ward, Louis Watzman, Marion Gilbert, Peter Knapp, Lena Ffrett, Alice Hare, Irene Hingerty, Sarah Small, Yetta Tuchmann, Fannie White, Virginia Tuckmann, Fannie White, Virginia Tuckmann, Watzman, Marion Gilbert, Peter Knapp, Lena Ffrett, Alice Hare, Irene Hingerty, Sarah Small, Yetta Tuchmann, Fannie White, Virginia Picketie, Ruth Cason, Rosa Cohn, Bertie Messinger.

THIRD PRIMARY.

(Chara V. Newman, Teacher.)
First Prize (silver medal) awarded to
Earle Jolly.
Second Prize (silver medal) awarded
to Louis Hurwitz.
Third and fourth prizes (books)

den. Thomas Williams, Frank Richardson, Claude Pierce.

Medals and Prizes—Allie C. Philpatto, first medal; Gille B. Cruser, second medal; Frank C. Richardson, first arize (arithmetic), Second Grammar, Perfect in Attendance—Thomas Williams.

SECOND GRAMMAR GRADE.
(Lita Benney, Teacher.)

Certificates—Allie Evans Frank Mecullough, Jacob Ranhael, Amos Walker, Charles H. Ranhael, Amos Walker, Charles H. Grand Dincan, Neith Mils, Mary Townsond, Beniad Bell, Marcon Wells, Ellen Walker, Lillian Jarvis, Essie Trippie.

Graduating Certificates—Grace Goldie Blitz. ROLL OF HONOR.

ROLL OF HONOR.

Diplomas—Miss Nellie Virginia Garrison.

Roll Of Honor.

Diplomas—Miss Nellie Virginia Garrison.

Diplomas—Miss Nellie Virginia Garrison.

Ella Chase, Abbe O Conner W. Ison.

Certificates—Ethel Black, Fannie
Duncan, Nette Mills, Mary Townsend.
Beulah Bell, Marion Wells, Ellen Walter, Ellen Walter, Lillian Jarvis, Essie

Triffice.

Medalist—Grace Goldie Blitz.

SECOND GRAMMAR GRADE.

(Bessie M. Foster, Teacher.)

Certificates—Section B. Narey Bernard, Hazel Jacob. Mille Saron, Lilliande Land. Annie May Osborne, Essie

Roll Of HONOR.

Diplomas—Miss Nellie Virginia Garrison.

Bella Grant, Rosa Gottob.

Bella Grant, Rosa Gottob.

Banche Hargrove, Cieveland Jacobson, Julia Kaufman, Emmie Sherrer La
Banch Annie May Osborne, Essie Hischler, Verona May Whitehurst and Blanch Wasserman.

Certificates of Scholarship—Section A:

Misses Ida May Davis, Eva Church, Maude Lena Garrison.

Misses Ida May Davis, Eva Church, Maude Lena Garrison.

Misses Davetta Levy, Edna Leggett, Blanche Metzger, Annie Schapiro, Jennie Witlok, Bessie Williams, Addie Witlok, Bessie Williams, Addie Wilfok, Bessie Williams, Addie Garrison.

Medalists—Annie Osborne, Maude Garrison.

Medalists—Annie Schapiro, Jennie Britan Bernie Metzger, Annie Schapiro, Jennie Witlok, Bessie Williams, Addie Wilfok, Bessie Williams, Addie Garrison.

Section A—Addie Dezier, Lot a Capps, Emily Grubb, Ethet Cock, Bertha Makanoan, Mary Certr Myers.

Honorable Mention—Hillen Armstelle Addison, Essie Bail, Fannie Borun, Olive Garstelle Addison, Mora Bernie Hargrove, Cieveland Jacobson, Julia Kaufman, Fismite Services and Scholarship—Section A. Hardis Annie May Osborne, Essie Bail Banch Wasser and Scholarship—Section A. Misses Ida May Davis, Eva Church, Masser Levy, Edna Leggett, Banch Wasser, Legett Church, Masser and Masser er, Ellen Waiker, Lillian Jarvis Tripple, Medalist-Grace Goldie Blitz.

celley, there Morts, Admir fandsa eorgie Miler, Jessie Martin. Not abhart a day or to dy once du ag the session: Rem Chase, Nan-lertard and Addic Dozler. Medalist—Mille Saron. Arithmetic Medalist—Ivor Walker.

INTERMEDIATE DEPARTMENT.

Silver Medal-Vertical Writing: Paul Grace Kegebein, Hattle Larmour, Lou-Murray. lise Tucker, Belle Barkley, Annie Dy-

ise Tucker, Belle Barkley, Annie Dyson, Patty Stephens.
Section A-Ida Bell, Augusta Finck, May Fox, Wille Garrison, Erla Metcalf, Pauline Tebault, Marion Titmus, Alice Baum, Pauline Ward,
Honorably Mentioned-Luctle Velines, Lillian Land, Rena Miller, Nina Mills, Bosa Schofield, Eula Coleman, Ethel Koelage, Nellie Nelson.
Not absent during the year-Annie Dyson, Blanche White.

(Mattie Coggin, Teacher.)

Roll of Honor-Lena Berman, Floy Baum, Screpta Barkley, Della East, Bettle Land, Katie Lazzart, Hazel Mills, Ethel Morris, Mary Morris, Clara Welman, Bessie Murray, Martha Sveirsky, Honorable Mention-Virginia Brockwell, Berkley Chatham, Emmle Dear, Tina Gregory, Lucy Hunt, Suste Harding, Ethel Harris, Emily Reveille.

PRIMARY DEPARTMENT.

PRIMARY DEPARTMENT.

(Lucy T. Carr, Teacher.)

Roll of Honor-Section B: James
Eley, Earle Townsend, Lewis Morris,
Webb Salmon, Vernon Holland, William Klyver, Lewis Barbom.
Section A-Herbert Bateman, Willie
Finck, Clarence Montague, John
Greenewald, Donald Merritt, Eugene
Roberts, Cortey Salmon, Arthur Minulto, Tommy Rowland, Henry Tripple,
Archie Davidson.
Henorable Mention-Lawrence Atkinson, Edward Grunewald, Gilbert Hunt,
Rowland White, Mark Gregory.

PRIMARY DEPARTMENT.

## FENCHURCH STREET.

H len Armdie S imen, Nora
Aunte Lindsay,
Martin,
tal dy once durClaire, Nancy
Zier,
The Common C

lie Lathrop, Lena Jordan, Jordan Medalists—Misses Bessie Kerns and

(Jolyan S. Moss, Tracher.) Certificates Section B: Mary Day. (Continued on Sixth Page.)